

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

FEB 18 2025

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DEVON WENGER,

Defendant - Appellant.

No. 25-407

D.C. No.

4:23-cr-00269-JSW-3

Northern District of California,  
Oakland

ORDER

Before: SILVERMAN, WARDLAW, and DESAI, Circuit Judges.

The motion (Docket Entry No. 3) to dismiss this appeal for lack of jurisdiction is granted because the district court's order of January 10, 2025, is not appealable as a final judgment or an order that comes within the collateral order doctrine. *See* 28 U.S.C. § 1291; *Midland Asphalt Corp. v. United States*, 489 U.S. 794, 798-99 (1989) (describing collateral order doctrine); *United States v. Renzi*, 651 F.3d 1012, 1019 (9th Cir. 2011) (denial of a suppression motion cannot be raised on interlocutory appeal under the collateral order doctrine).

All other pending motions are denied as moot.

**DISMISSED.**